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Customer Number

Patent Case No.: 38928.1.60.2.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: DANIEL L. MOORADIAN

Application No.: 10/509,216 Group Art Unit: 3773

Filed: September 24, 2004 Examiner: Julian W. Woo

Title: CIRCULAR STAPLER BUTTRESS COMBINATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUBSTANCE OF THE INTERVIEW, EXAMINER'S AMENDMENT,
AND COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Applicant's representative would like to thank Examiner Woo for extending the courtesy of a personal/telephonic interview with Matthew Graham, an attorney of record in this case, on March 5, 2010 to discuss this case.

The following recordation of the substance of the interview is believed to be complete and proper, in accordance with MPEP 713.04. It is requested that the Examiner notify the undersigned if the Examiner believes this Interview Summary contains any inaccuracies or if the Examiner believes this Summary is otherwise not complete and proper.

Claims 1, 11 and 30 were discussed during the interview. Participants agreed to amend the claims by Examiner's Amendment and file formal drawings. In accordance with the provisions of MPEP § 1302.04, Applicant has no objection to the proposed Amendment and agrees to Examiner's Amendment to the claims and drawings.

Applicant acknowledges and appreciates the Notice of Allowance that was mailed March 19, 2010. With regard to the Examiner's Reasons for Allowance, the MPEP sets forth various bases for providing Reasons for Allowance. From these, it is assumed that the Examiner's

reasons were simply to collect and summarize various reasons from throughout the file history (MPEP 1302.14(f)). In turn, Applicant would submit that the claims are allowable for reasons now summarized and for others as well. Also, it should be clear that the Examiner's reasons should not create an estoppel against Applicant, nor should the Applicant's failure to comment on any particular aspect of the Examiner's statements be treated as acquiescence thereto. See *Salazar v. Procter & Gamble Co.*, 414 F.3d 1342, 1347, 75 USPQ2d 1369, 1373 (Fed. Cir. 2005).

This communication is being filed concurrently with payment of the corresponding Issue Fee. The application is believed to be in condition for grant, and Applicant request prompt attention thereto.

Respectfully submitted,

Dated: June 18, 2010

/Philip M. Goldman/

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